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REMARKS

Claims 1-3, 6-31, 33, and 36-38 are pending in the above-identified patent application. Claims 4, 5, 32, 34 and 35 are canceled by this Amendment. Claims 13-17 and 21-28 are withdrawn from consideration. Claims 1, 18, 29, 31 and 36-38 are currently amended.

1. Changes To The Specification And Abstract

The Examiner requested correction of the specification in places where the valence of N atoms was incomplete. The open valencies on nitrogen noted by the Examiner indicate the presence of a hydrogen, as can be seen in Applicants' Scheme A and Scheme B (pages 20 and 24 of Applicants' specification). The chemical structures of Applicants' specification and claims were generated using the ISIS™ drawing program, which omits hydrogen atoms attached to carbon and heteroatoms.

The Applicants have provided replacement paragraphs for each instance that formula including an open valency on a nitrogen was noted. A replacement Abstract is also provided, as a formula with an incomplete nitrogen valency was noted therein as well. Applicants' apologize for these errors. Support for amendment of these paragraphs to include hydrogen on nitrogen atoms with incomplete valency is found in Scheme A and Scheme B, at pages 20 and 24 of Applicants' specification.

2. Election/Restriction

In accordance with Applicants' election of Group I (old Group II), A = Aryl, G1 = Benzofuran, G2 = non-heterocyclic, Applicants have amended independent claim 1 to omit non-elected subject matter. Applicants have canceled claims 4 and 5, and amended claim 29, to conform to amended claim 1 and omit non-elected subject matter. Claim 18 has been amended to change its dependency from canceled claim 4 to amended claim 1.

The Examiner indicated that claims 13-21 are withdrawn from consideration as being directed to non-elected subject matter. Upon review of the claims, Applicants respectfully believe that the Examiner is in error regarding which of Applicants' dependent claims fall within Group I. Applicants believe that claims 13-17 and 21-28 are

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directed to non-elected subject matter (instead of claims 13-22 as indicated by the Examiner. Applicants have accordingly identified claims 13-17 and 21-28 as being withdrawn.

3. Rejection Of Claims Under 35 USC §112, Second Paragraph

Claims 1-12, 22-30, 37 and 38 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particular point out and distinctly claim the subject matter which Applicants regard as the invention.

a. Incomplete Valency on Nitrogen

The Examiner pointed out that the generic formulae "G1-CH2-O-N-G2" in claims 1, 37 and 38 showed nitrogen atoms in which valence is incomplete. Applicants have amended these claims to replace all open valencies on nitrogen atoms with hydrogen. Support for these amendments to include hydrogen on nitrogen atoms with incomplete valency is found in Scheme A and Scheme B, at pages 20 and 24 of Applicants' specification as noted above.

b. "A Compound Comprising"

The Examiner requested correction of "A compound comprising" to "A compound of Formula I" in the preamble of claim 1. Claim 1 has been amended to make this correction.

c. "Heteroaryl"

The Examiner indicated that Applicants' recitation of "heteroaryl" with regard to R1 and R2 was indefinite and results in difficulty in reading the claimed invention exactly. Applicants have amended claim 1 to recite, inter alia,

heteroaryl (optionally substituted with halo, alkyl, cyano, nitro or alkoxy),
said heteroaryl having one to three rings, of four to eight atoms per
ring, incorporating within each ring one or two heteroatoms chosen
from nitrogen, oxygen or sulfur

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Applicants believe that the amended claim language above clarifies the nature of the Applicants' recited "heteroaryl" limitation.

d. Incomplete Valency on Nitrogen

The Examiner also pointed out that the tetrazole core of formulae in claims 1 and 38 showed nitrogen atoms with unsatisfied valency. Applicants have amended these claims to replace the open valencies noted by the Examiner with hydrogen.

The Applicants believe, in view of the amendments noted above, that all of Applicants' presently pending claims meet the criteria of 35 USC §112.

4. Rejection Of Claims Under 35 USC §112, First Paragraph

Claims 31-36 were rejected under 35 USC §112, first paragraph. The Examiner stated that the specification, while being enabling for asthma, does not reasonably provide enablement for treating a subject with a disease state that is alleviated with an IP antagonist generally, and that skilled persons were not enabled to practice the invention commensurate in scope with Applicants' claims.

Applicants have amended claim to include the limitation "said disease state selected from asthma and disorders of the urinary tract". The Examiner indicated that Applicants specification was found to be enabling for asthma as noted above. Applicants have also included "disorders of the urinary tract". Examples 19 and 20 describe *in vivo* experiments in which the compounds of the invention were shown to inhibit bladder distensions contractions in rats. Applicants thus respectfully submit that Applicants' specification is enabling for treatment of disorders of the urinary tract.

Claims 32, 34 and 35, which recite treatment of pain, inflammation, edema, and respiratory states generally, have been canceled. Claim 36 has been amended to limit the recitation of respiratory states to asthma. Claim 33 has been amended to change its dependency from canceled claim 32 to claim 31. In view of the amendments to claims 31, 33 and 36, Applicants believe that these claims conform to the requirements of 35 USC §112, first paragraph.

The Examiner also indicated that the recitation of "Isomers, mixtures of racemates, Solvates and pharmaceutically acceptable Salts" reads on all such moieties, and that

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Applicants have provided no assurance that all such derivates will have the ability to generate the instant compounds. Applicants have amended claim 1 to recite more specifically, "or **individual isomers, racemic or non-racemic mixtures of isomers, prodrugs**, or pharmaceutically acceptable salts or solvates thereof". Applicants believe that exclusion of the language directed to isomers and prodrugs, and limitation to only pharmaceutically acceptable salts and prodrugs, limits the scope of Applicants' claims to only salt and solvate derivatives that skilled persons would reasonably expect to provide Applicants' claimed compounds *in vivo*.

5. Allowable Subject Matter

The Applicants note with appreciation the Examiner's reasons for indication of allowable subject matter.

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CONCLUSION

In view of the foregoing remarks and claim amendments, the Applicants respectfully submit that each of the presently pending claims in the above-identified patent application are currently in condition for allowance. Accordingly, it is requested that the outstanding claim rejections be withdrawn, and that this case be passed to issuance.

If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. No fees are believed due, but in the event it is determined that fees are due, please charge such fees to Applicants' deposit account No. 18-1700.

Respectfully submitted,



Robert C. Hall
Reg. No. 39,209
Attorney for Applicants

Roche Bioscience
Patent Law Dcpt. M/S A2-250
3401 Hillview Avenue
Palo Alto, CA 94304

Direct Phone: (650) 354-7540
Date: January 16, 2004